

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

DATE: August 17, 2007

SUBJECT: Reports of Significant Developments and Activities
Ending on August 10, 2007

FROM: Richard C. Karl, Director
Superfund Division

TO: Mary A. Gade
Regional Administrator

Bharat Mathur
Deputy Regional Administrator

The activities listed below are organized by site-specific activities:

SITE-SPECIFIC ACTIVITIES

Emergency Response, Comerica Park, Detroit, Michigan

On August 8, 2007, On-Scene Coordinators (OSCs) James Justice and Michelle Jaster responded with the Superfund Technical Assistance and Response Team (START) contractor to a mercury spill at Comerica Park, the home of the Detroit Tigers baseball team. Mercury was spilled from a blood pressure instrument in a First Aid room on the third floor concourse near the end of a game on August 7, 2007. The nurse and patient were decontaminated that evening, and clean-up contractors responded to decontaminate the room and the associated vestibule overnight. The United States Environmental Protection Agency (U.S. EPA) responded at the request of the Detroit Fire Department the next morning and provided additional air monitoring assistance. In addition, U.S. EPA assisted the City and Comerica Park with appropriate plans to re-open decontaminated portions of the vestibule in time for the game on August 8. Decontamination activities were completed on August 9 in time for an afternoon game, and U.S. EPA provided additional air monitoring support at the close of those activities.

Contact: Michelle Jaster (734-692-7683)

Removal Start, Plating Engineering Facility Site, West Allis, Wisconsin

On July 30, 2007, U.S. EPA On-Scene Coordinator (OSC) Craig Thomas initiated a time-critical removal action at the Plating Engineering Facility site in West Allis, Wisconsin. The site was a former plating facility. This removal action will address nickel, chromium, copper, lead, and other plating solutions which remain in plating vats and drums inside the facility. In addition, asbestos removal will be conducted as necessary. Contaminated soils around the exterior of the building may also be excavated. All materials will be transported off-site to properly licensed disposal facilities. Several meetings have been held with Ed Lisinski of the West Allis Building Department, Chief Martin King with the West Allis Fire Department, and Wisconsin Department of Natural Resources representatives Amy Walden, Mark Davis, Marie Stewart, Scott Ferguson, and John Hnat to discuss site conditions and issues.

Contact: Craig Thomas (312-886-5907)

Removal Start, Florida Gas Site, Calumet Township, Michigan

On August 1, 2007, On-Scene Coordinator (OSC) Jon Gulch mobilized the Emergency and Rapid Response Services (ERRS) and the Superfund Technical Assistance and Response Team (START) contractors to the Florida Gas site in Calumet Township, Michigan, to remove the imminent and substantial threat posed by the presence of contamination. The removal action will include excavation of gross coal tar contamination in the drainage ditch adjacent to the site and the installation of vinyl sheet piling along the south and west perimeter of the site to prevent migration of the contamination to the residential properties neighboring the site. It is anticipated that the removal action will take 45 days to complete.

Contact: Jon Gulch (734-692-7686)

Removal Start, Columbia Avenue Spill Site, Hammond, Indiana

On July 23, 2007, U.S. EPA On-Scene Coordinator Theresa Holz, along with the Superfund Technical Assistance and Response Team (START) and the Emergency and Rapid Response Services (ERRS) contractors initiated a removal action at the Columbia Avenue Spill Site, Hammond, Indiana. The removal action consists of excavating contaminated surface and subsurface soils containing

high levels of lead and benzene. The site was referred to U.S. EPA from an Indiana Department of Environmental Management (IDEM) representative after suspected illegal dumping activities had occurred. The sampling event conducted on July 16, 2007, revealed levels of lead as high as 32,000 parts per million (ppm) and benzene as high as 2,100 ppm, which drastically exceeds U.S. EPA and IDEM clean up levels. Removal activities are expected to be completed by the end of August 2007.

Contact: Theresa Holz (312-886-6845)

Settlement, Conserv FS, Kansasville, Wisconsin

On August 1, 2007, U.S. EPA entered into a Consent Agreement and Final Order with Conserv FS to resolve alleged violations of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the Emergency Planning and Community Right-to-Know Act (EPCRA) release reporting requirements. The Agency alleged that Conserv FS failed to immediately notify the National Response Center, Wisconsin State Emergency Response Commission (SERC), and Racine County Local Emergency Planning Committee of a release of 1,055 pounds of ammonia which occurred from their facility on October 11, 2004. Anhydrous ammonia is a CERCLA hazardous substance and an EPCRA extremely hazardous substance with a 100 pound reportable quantity. In addition, Conserv FS failed to submit written follow up reports to the SERC as soon as practicable after the release. The release was from a leaking valve on an ammonia nurse tank. The original proposed penalties were \$80,596. During negotiations Conserv FS was able to demonstrate that the quantity release was less than what they originally reported. The penalty was adjusted accordingly. The applicable reductions in the Enforcement Response Policy were applied. Conserv FS will pay a \$20,956 penalty (\$5,239 to Superfund and \$15,717 to the Treasury.

Contact: Ruth McNamara (312-353-3193)

Expedited Settlement Agreement Filed, Prairie Farms Dairy, Inc., O'Fallon, Illinois

On July 31, 2007, the Chemical Emergency Preparedness and Prevention Section filed an Expedited Settlement Agreement (ESA) with Prairie Farms Dairy, Inc., in O'Fallon, Illinois. In the ESA, U.S. EPA alleges Prairie Farms Dairy, Inc., violated areas of implementation of the Risk Management Program, 40 CFR Part 68. Prairie Farms Dairy, Inc., produces and distributes ice cream.

Some of the alleged violations include failing to maintain documentation on relief system design basis or ventilation system design, failing to establish a system to promptly address process hazard analysis (PHA) findings and recommendations, failing to follow management of change (MOC) procedures, failing to document whether deficiencies identified in the compliance audit were corrected, and failing to maintain documentation on each inspection and test performed on process equipment. Prairie Farms Dairy, Inc., accepted the ESA, certified that they resolved all violations, and paid a \$1,845 penalty to the U.S. Treasury.

Contact: Monika Chrzaszcz (312-886-0181)

Expedited Settlement Agreement Filed, Country Fresh, LLC, Grand Rapids, Michigan

On July 31, 2007, the Chemical Emergency Preparedness and Prevention Section filed an Expedited Settlement Agreement (ESA) with Country Fresh, LLC in Grand Rapids, Michigan. In the ESA, U.S. EPA alleges that Country Fresh, LLC violated areas of implementation of the Risk Management Program, 40 CFR Part 68. Country Fresh, LLC processes, packages, and delivers products such as milk, juice, cottage cheeses, sour cream, and other milk products. Some of the alleged violations include failing to maintain records for the alternative release scenario, failing to certify annually that operating procedures are current and accurate, failing to provide refresher training at least every three years, failing to certify that the facility has evaluated compliance with the prevention program at least every three years. Country Fresh, LLC accepted the ESA, certified that they resolved all violations, and paid a \$1,365 penalty to the U.S. Treasury.

Contact: Monika Chrzaszcz (312-886-0181)

Expedited Settlement Agreement Filed, Hudsonville Creamery & Ice Cream Company, Holland, Michigan

On July 31, 2007, the Chemical Emergency Preparedness and Prevention Section filed an Expedited Settlement Agreement (ESA) with Hudsonville Creamery & Ice Cream Company in Holland, Michigan. In the ESA, U.S. EPA alleges that Hudsonville Creamery & Ice Cream Company violated areas of implementation of the Risk Management Program, 40 CFR Part 68. Hudsonville Creamery & Ice Cream Company is an ice cream producer. Some of the alleged violations include failing to maintain records on the release

scenarios, failing to address findings and recommendations in process hazard analyses (PHAs) conducted, failing to establish a written procedure for maintaining the ongoing mechanical integrity of the covered process, and failing to maintain documentation on inspections and tests performed on process equipment. Hudsonville Creamery & Ice Cream Company accepted the ESA, certified that they resolved all violations, and paid an \$832.50 penalty to the U.S. Treasury.

Contact: Monika Chrzaszcz (312-886-0181)

Expedited Settlement Agreement Filed, Brenntag Great Lakes, LLC, Fort Wayne, Indiana

On July 31, 2007, the Chemical Emergency Preparedness and Prevention Section filed an Expedited Settlement Agreement (ESA) with Brenntag Great Lakes, LLC in Fort Wayne, Indiana. In the ESA, U.S. EPA alleges that Brenntag Great Lakes, LLC violated areas of implementation of the Risk Management Program, 40 CFR Part 68. Brenntag Great Lakes, LLC repackages and resells chemical products. Some of the alleged violations include failing to ensure that problems identified in hazard reviews were resolved in a timely manner, failing to update the hazard review at least once every five years, failing to certify that compliance audits are conducted at least every three years, and failing to update emergency contact information within thirty days of a change in information. Brenntag Great Lakes, LLC accepted the ESA, certified that they resolved all violations, and paid a \$940 penalty to the U.S. Treasury.

Contact: Monika Chrzaszcz (312-886-0181)

RMP Inspection Conducted, Lambent Technologies Corporation, Gurnee, Illinois

On July 25, 2006, Silvia Palomo from the Chemical Emergency Preparedness and Prevention Section conducted an inspection at Lambent Technologies Corporation in Gurnee, Illinois. The purpose of the inspection was to review the Risk Management Program that the facility has in place for the use and storage of ethylene oxide. The facility manufactures surfactants, including detergents, emulsifiers, wetting agents, and esters used as raw materials in cosmetics, foods, industrial lubricants, and agricultural products.

Contact: Silvia Palomo (312-353-2172)

RMP Inspection Conducted, Tanner Industries, Inc., Inkster, Michigan

On July 25, 2007, Monika Chrzaszcz from the Chemical Emergency Preparedness and Prevention Section conducted an inspection at the Tanner Industries, Inc., facility in Inkster, Michigan. The purpose of the inspection was to review the Risk Management Program (RMP) that the facility has in place for the storage and handling of regulated substances under the RMP regulation. The facility is a distributor of ammonia and aqueous ammonia.

Contact: Monika Chrzaszcz (312-886-0181)

RMP Inspection Conducted, Norquick Distributing Company, Canton, Michigan

On July 26, 2007, Monika Chrzaszcz from the Chemical Emergency Preparedness and Prevention Section conducted an inspection at the Norquick Distributing Company in Canton, Michigan. The purpose of the inspection was to review the Risk Management Program (RMP) that the facility has in place for the storage and handling of regulated substances under the RMP regulation. The facility stores and distributes frozen foods.

Contact: Monika Chrzaszcz (312-886-0181)

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